

**Question for written answer E-005715/2015
to the Commission**

Rule 130

Gérard Deprez (ALDE)

Subject: The calling into question of the Safe Harbor agreement by a lawyer representing the European Commission

During proceedings before the Court of Justice of the European Union, in which the applicant objected to their Apple, Facebook, Microsoft, Skype and Yahoo user data being able to be sent to the United States on the grounds of access to data, which the NSA would secretly receive (particularly via PRISM), a lawyer representing the Commission advised the advocate-general to leave Facebook if he wished to protect his personal data.

These few words call into question the effectiveness of the Safe Harbor agreement, negotiated in 2001 between the United States and the European Union in order to ensure an adequate level of protection for data transfers from the European Union to companies based in the United States.

The lawyer for the Commission appears to be giving credence to the critics of Safe Harbor according to whom the provisions provided for do not in fact guarantee an adequate level of protection for the data transferred.

I would like to know the position of the Commission in this regard. How can it be maintained that the Safe Harbor agreement is effective when the American administration does not comply with the principles that it claims to defend?

Can the Safe Harbor agreement be improved?

Would its revocation affect the economic and political interests of the European Union and the United States?